

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THOMAS GESUALDI, LOUIS BISIGNANO,
DOMINICK MARROCCO, ANTHONY PIROZZI,
JOSEPH A. FERRARA, SR., FRANK H.
FINKEL, MARC HERBST, DENISE RICHARDSON,
THOMAS F. CORBETT, and ANTHONY D'AQUILA
as Trustees and Fiduciaries of the
Local 282 Welfare Trust Fund, the
Local 282 Pension Trust Fund, the
Local 282 Annuity Trust Fund, the
Fund, the Local 282 Training Trust
Fund, and the Local 282 Vacation and
Sick Leave Trust Fund,

Plaintiffs,

-against-

HALL TRUCKING CORP.,

Defendant.
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APPEARANCES:

For Plaintiffs: Claire Killeen Tuck, Esq.
Michael Seth Adler, Esq.
Cohen, Weiss and Simon LLP
330 West 42nd Street
New York, NY 10036-6976

For Defendant: No Appearances.

SEYBERT, District Judge:

Plaintiffs, the Trustees of certain employee benefit funds (the "Funds"), sued Defendant Hall Trucking Corp. to recover unpaid employee benefit contributions owed to the Funds under a collective bargaining agreement. Defendant has not appeared or otherwise defended this suit, and Plaintiffs moved for a default judgment. On February 17, 2012, Magistrate Judge

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 20 2012 ★

LONG ISLAND OFFICE

MEMORANDUM & ORDER
11-CV-3393 (JS) (ETB)

E. Thomas Boyle issued a Report and Recommendation ("R&R") recommending that Plaintiffs be awarded \$108,264.84 in damages, costs, and attorneys' fees plus additional interest. No objections were filed within the prescribed time.

Judge Boyle's R&R is thorough, well-reasoned, and free of clear error. Accordingly, it is ADOPTED in its entirety. The Clerk of the Court is respectfully directed to enter judgment against Defendant and in favor of Plaintiffs in the amount of \$108,264.84 plus interest in the amount of \$33.79 per day from and including February 18, 2012 through the date of judgment. Plaintiffs shall also be entitled to post-judgment interest calculated pursuant to 28 U.S.C. § 1961. The Clerk of the Court is further directed to mark this case CLOSED.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: April 20, 2012
Central Islip, New York